

SUBJECT: DECISION ON TERMINAL DISCLAIMERS INFORMAL FORMDATE: 7/26/01  
TO EXAMINER: \_\_\_\_\_APPL. S.N.: 091 729 102  
ART. UNIT: 1753PARALEGAL: Jean ProctorMAILROOM DATE: 07/28/01AFTER FINAL YES \_\_\_\_\_ NO ✓ NUMBER OF T.D.(S) FILED: 1

INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please form paragraphs identified by this informal memo in your next office action to notify applicant about my analysis or have questions at all about the acceptability of the T.D., please see me or our Special Agent. MEMO IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE MAILED TO APPLICANT. IT MUST BE LEFT IN FILE. WHEN YOUR OFFICE ACTION IS COMPLETED, YOU MUST INITIAL AND DATE TO ME.

☒ The T.D. is PROPER and has been recorded. (See 14.23).

☐ The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below. (See

☐ The recording fee of \$\_\_\_\_\_ has not been submitted nor is there any pre authorization in: to a deposit account. (See 14.25).

☐ Application Examiner has not processed T.D. fee. (See fee authorization).

☐ The T.D. does not satisfy Rule 321(b)(3) in that the person who has signed the T.D. has not stated the extent of the interest of the business entity represented by the signature) in the application/patent.

☐ The T.D. lacks the enforceable only-during the common ownership clause needed to overcome Rule 321(c). (See 14.27, 14.27.1).

☐ It is directed to a particular claim(s), which is not acceptable since the disclaimer must tie of the entire patent to be granted. MPEP 1490. (See 14.26, 14.26.2).

☐ The person who signed the terminal disclaimer:

☐ has failed to state his/her capacity to sign for the business entity. (See 14.28).

☐ is not recognized as an officer of the assignee. (See 14.28 and possibly 14.29.1).

☐ No documentary evidence of a chain of title from the original inventor(s) to assignee has been frame specified as to where such evidence is recorded in the office. 37 CFR 3.73(b). (See 1140 documentary evidence or the specifying of the reel and frame may be found in the T.D. or in a separate application. (See 14.30).

☐ No statement specifying that the evidentiary documents have been reviewed and that, to the knowledge and belief the title is in the assignee seeking to take action. 37 CFR 3.73(b). (See 11

☐ The T.D. is not signed. (See 14.26, 14.26.3).

☐ Attorney not of record in oath/decl. or a separate paper filed appointing a new or associate

☐ The serial number of the application (or the number of the patent) which forms the basis for or incorrect. (See 14.32).

☐ The serial number of this application (or the number of the patent in reexam or reissue case) or incorrect. (See 14.26, 14.26.4 or 14.26.5).

☐ The period disclaimed is incorrect or not specified. (See 14.27, 14.27.2 or 14.27.3).

☐ Other: \_\_\_\_\_